



CR No.6244 of 2022 (O&M)

1

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

128

Civil Revision No.6244 of 2022 (O&M)
Date of decision: February 5th, 2026

Nanhi Devi and others

.....Petitioners

Versus

Krishan

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Renu Dhull, Advocate
for the petitioners (through V.C.).

Mr. Nissim Aggarwal, Advocate
for Mr. S.K. Aggarwal, Advocate
for the respondent.

VIKAS BAHL, J. (ORAL)

1. This is a civil revision petition under Section 115 CPC read with Article 227 of the Constitution of India for setting aside the impugned order dated 30.11.2022 passed by Additional Civil Judge (Senior Division), Kaithal.

2. On 04.02.2026, this Court was pleased to pass the following order:

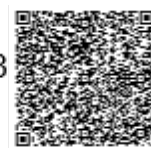
“Present:- None for the petitioners.

Mr. Nissim Aggarwal, Advocate for the respondent.

On 04.01.2023, a Coordinate Bench of this Court was pleased to pass the following order.-

"Present: Ms. Renu Dhull, Advocate for the petitioners.

Learned counsel for the petitioner



CR No.6244 of 2022 (O&M)

2

*argues that the Coordinate Bench of this Court while passing order in CR-4067-2016 titled as **Anil Kumar and others vs. Maninderbir Singh** has already referred the matter to a larger Bench involving a question of law whether challenge to an agreement to sell would require affixation of ad-valorem Court fee or not.*

Notice of motion for 02.05.2023.

Operation of the impugned order shall remain stayed till the next date of hearing. January 04, 2023"

Learned counsel for the respondent has submitted that the said matter has been adjudicated by the larger Bench vide judgment dated 31.01.2025 and in the said case, it has been observed in para 25 that with respect to the suit in which challenge has been made to agreement to sell, plaintiff is required to affix the ad valorem Court fees on the amount of the earnest money which has been paid.

There is no representation on behalf of the petitioner.

In the interest of justice, adjourned to 05.02.2026.

To be taken up in the urgent list.

04.02.2026"

3. During the course of hearing, a very fair stand has been taken by the counsel for the petitioners as well as the counsel for the respondent and on account of consensus, the present petition is disposed of with the following observations/directions:

(i) The petitioners would deposit the *ad valorem* Court fee on the



CR No.6244 of 2022 (O&M)

3

earnest money paid, within a period of one month from today.

(ii) In case the said amount is deposited, then the plaint would not be rejected.

(iii) In case the trial Court at the stage of final hearing is of the opinion that anything more is required to be paid after taking into consideration the law laid down in the Division Bench judgment dated 31.01.2025 passed in ***CR-4067-2016*** titled as ***Anil Kumar and others Versus Maninderbir Singh***, then the petitioners would be liable to pay the same as well at the time of the pronouncement of the decree, as has been mentioned in paragraph 41 of the judgment of the Division Bench.

4. Pending applications, if any, also stand disposed of.

February 5th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No